

himself," she said, but the answer was

"When I reached the dock I saw that Capt. Hains and the defendant had followed me down. I stopped at the right side of the runway with some other women. Capt. Hains was standing by the gasoline house at the right of the runway and Thornton Hains stood on the other side of the float about fifteen feet from his brother." The only club members who recollected seeing on the float at that moment were Mr. Birchfield, Mr. Hains and Mr. Andrews and his son.

"Where was your husband at the time you got to the stringpiece?"

"About half way out in the bay sailing 'Lucco'."

"Could you see his face?"

"No."

"It was full twenty minutes, the witness said, before her husband came up to the float. Mr. Darrin brought out that the position of the sail was such that it hid the faces of those in the boat. Mr. Birchfield at this time was talking to Thornton Hains. Mr. Birchfield ran down to feed the Anna boat when it came in.

"As Mr. Birchfield ran down the gangplank Thornton Hains beckoned to his brother and made some explanation and followed Mr. Birchfield, Capt. Hains standing behind his brother.

"When they reached the float what did they do?"

"Thornton Hains got in position with his revolver." "This was ruled out and witness continued." "Capt. Hains ran down to the corner and got in a crouching position, put his hand in his coat pocket, got out a revolver and pointed it under the sail."

"Justice Crane asked, 'What did the defendant do while the Captain was doing this?'"

"Mr. Darrin: It seems to me—"

"Justice Crane: Don't tell what seems to you. Let her answer the question."

"The witness went on:

"Thornton Hains went to the edge of the float and faced the people—the gangway."

"Mrs. Annis began to show the effects of the strain under which she was telling her story. A glass of water was given to her. The District Attorney asked:

"What did you see next?"

"As Capt. Hains crouched under the sail he had a revolver in his right hand. I didn't see Thornton Hains again until he went down to the float after the second shot. He was then standing three or four feet away from his brother. There was a noticeable pause between the first and second shots. I ran down like mad—I was almost insane. (The latter clause was ruled out.)"

"As I ran in the direction to go to my husband Thornton Hains took a revolver and pointed it at me. I turned and he put the revolver at my back."

"Did Thornton Hains say anything to you?"

"He said, 'You move and you'll get the same. I turned and ran back up the gangplank. Then I started to go down to the float. As I was going down I saw Mr. Andrews, I believe it was, took my arm and led me away to the clubhouse."

"What did your husband do at that time?"

"At the time of the first shot he was sitting in the boat. He got up to walk from the stern to the bow around the mast—when he got to the bow—he fell into the water. I saw him fall into the water."

"Mr. Darrin said down. The tension which had held court room relaxed and the small shuffling of feet and muttering of breath sounded like loud noise. Justice Crane had Mrs. Annis step down from the stand for a moment and take a chair near by where another glass of water was brought to her. Then she resumed her place and Mr. McIntyre began his cross-examination."

"At the time you saw the defendant on the 15th of August did you know him?"

"I did not know him."

"You knew Capt. Hains?"

"I had known Capt. Hains four or five months."

"Didn't you know Capt. Hains four or five months before the 15th of August?"

"No."

"Annis said she was living at 501 West 12th street at present. At the time of the shooting she lived at 47 Claremont avenue. Her husband had left the house at 5 o'clock on the morning of the day of the shooting to take the 8:05 train. Mr. McIntyre was asking his questions in a more gentle voice than he had used before in the trial, and although her face was becoming heavily flushed she had the bearing of one determined to see the thing through."

"Q. You say when you saw Capt. Hains in the carriage you were much excited? A. Yes."

"Was your worry such as to cause you to devote your undivided attention to the Captain? A. Yes."

"Is there something going through your mind? A. There was."

"Mr. Darrin here objected, was sustained, and Mr. McIntyre made an effort to ascertain from the witness what it was that caused her so great excitement at sight of Capt. Hains."

"Q. Did you not look behind you as you went down to the dock? No."

"Q. Then, when you saw the defendant and his brother 'followed' you down to the dock, it is merely a conclusion? A. They were on the float almost as soon as I was."

"Q. Did you see the defendant speak to Thornton Hains? No."

"Q. How long did Thornton Hains and his brother talk to Mr. Birchfield? A. I do not know—I was so excited."

"Q. All the time? A. Yes."

"Mrs. Hains said she divided her attention between watching Capt. Hains and watching the boat in which her husband was approaching the landing. She stood there, worried and excited, for about twenty minutes."

"Q. You said nothing of your worried state of mind to any of the men present? A. No, sir."

"Q. Nor to any of the ladies? A. No, sir."

"Q. During this period the sail of your husband's boat prevented you from seeing his face? A. It did not prevent me from seeing his face."

"Q. The said that Capt. Hains stood about fifteen feet away from the back of her—and Thornton Hains stood about the same distance away to the left of the gangplank."

"Q. While the defendant was talking to Mr. Birchfield did you hear any say to the Captain, 'Come along, Captain: let's go home. Jepperson is not here'? A. I did not."

"Q. You would not say he didn't say it? A. I didn't hear him say it."

"Q. Did you say on your direct examination that you were too much excited to notice anything? A. I said I was too much excited to notice anything."

"Q. When your husband's boat came up to the landing did you see anything? A. I called to him to keep back."

"Q. That was before the shooting began? A. Yes—just before."

"The witness said that she then turned and looked at Thornton Hains."

"Q. You did not know him? A. No."

"Q. Why did you look at him? A. I had a reason."

"Q. You also had reason to suspect Capt. Hains was there for some definite purpose? A. Yes."

"Q. You didn't hear anybody say anything at the time of the shooting? A. Only what Thornton Hains said to me."

"Q. At the time Capt. Hains drew his revolver did you know what Thornton Hains was doing? A. No."

"Up to this time Mr. McIntyre had made no attempt to cure any discredit on the

witness to confuse her. He now began to try to obtain from her an admission that she had been told to say certain things to add strength to the prosecution's case. He asked her if she appreciated the importance of that statement to the State's case. She said she did, but Mr. Darrin's objection was sustained.

"Were you paying the more attention to the rapidity with which the shots were being discharged than to Mr. Annis'?"

"I was paying more attention to my husband."

"The set course of the witness's lips broke and she bowed her head for a moment. Then she spoke slightly in her chair and the court officer behind her stood up and took a step nearer her. She shook herself together again after a moment."

"The Court sustained Mr. Darrin's objection to the question, 'After the shooting you made no charges against Thornton Hains, did you?' and then the witness admitted that she had not been a witness at either the Coroner's inquest or at the Magistrate's hearing. Mr. McIntyre tried without success to shake the woman's testimony on the order in which the witness went down to the float, Thornton Hains in the lead."

"You say Thornton Hains beckoned to his brother just before the shooting. Has anybody said to you that in order to secure a conviction you must say this?"

"I am only telling here what I saw with my own eyes."

"There followed a long string of questions intended to bring out an admission that Mrs. Annis had talked over with the District Attorney, with Mr. White, his special counsel, or various club members who she should say called around and discussed her statement with them."

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FIFTH AVENUE BUILDING

ON THE SITE OF THE OLD FIFTH AVENUE HOTEL
UNUSUAL INDUCEMENTS WILL BE OFFERED TO TENANTS RENTING FROM 15,000 TO 100,000 SQUARE FEET ON ONE FLOOR. PROVIDING LEASES ARE MADE AT ONCE BEFORE THE INTERIOR WORK IS ADVANCED. OF ALL NEW YORK OFFICE BUILDINGS THIS IS THE BEST. THE EXECUTIVE OFFICES OF LARGE FIRMS OR CORPORATIONS, AND IN EVERYTHING THAT MAKES FOR THE COMFORT AND CONVENIENCE OF TENANTS IS PRE-EMINENT. LEASES ARE NOW BEING MADE FOR OCCUPANCY, MAY, 1, 1909.

THE FIFTH AVENUE BUILDING CO., OWNERS
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ILLNESS REVEALS MARRIAGE.

Secret of a Brooklyn Doctor and His Wife Kept for Three Years.

Dr. Henry J. Kohlmann and Miss Phoebe Edna Skidmore were married on September 4, 1905, by the Rev. William Lavell, a Lutheran minister, at his home, 475 Pacific street, Brooklyn, but the marriage notice was not published until yesterday.

The couple became acquainted about eight years ago, when Kohlmann was still in the Erasmus Hall High School, and it was some time after his graduation and after he had begun his medical studies at the Long Island College Hospital that the marriage took place. The parents of both, as well as some of their close friends knew of the marriage, but it was decided not to make any public announcement until young Kohlmann had started out on his career as a doctor. The bride continued to live with her parents at 323A Greene avenue.

After his graduation in June, 1907, Kohlmann spent a year at St. Vincent's Hospital in the Eastern District and a few months ago went back to live with his parents at 532 State street and opened his office there, while his wife continued to live with her parents, paying frequent visits, however, to her husband. A few days ago the young physician was laid up with an attack of pneumonia and his wife insisted on being with him constantly. This led to some friction with the members of his family and by the advice of her relatives Mrs. Kohlmann inserted the marriage notice yesterday in a Brooklyn paper.

600 NEW ENGLANDERS DINE.

J. P. Morgan Their Guest of Honor in Brooklyn Academy Banquet Hall.

Six hundred members of the New England Society attended the annual dinner held in the banquet hall of the Academy of Music, Brooklyn, last night. J. Pierpont Morgan was the guest of honor. He sat at the right of Elijah R. Kennedy, president of the society. At the speakers' table there were also the Rev. Charles F. Aked, the Rev. John Calvin Goodard of Salisbury, Conn., the Rev. Marian Le Roy Burton, Simeon Ford and Captain Francis Murphy, the joke twins; Rear Admiral Caspar F. Goodrich, William M. Calder, Judge Luke D. Stapleton, P. L. Schenck and George E. Miner.

"Will you kindly mingle some good natured banter at the expense of the hoary Puritans with his serious review of their contribution to the making of the republic. On the Mayflower, he said, the cook chopped his wood just north of the compass, and that act deflected the needle to such an extent that instead of landing at Manhattan, they came to the inhospitable shores of Cape Cod."

Mr. Murphy had to answer to the toast of "New England Characteristics." The Rev. Dr. Aked spoke on "The Pilgrims to the Englishman was at Salem, Ill., where his widow and a daughter live. On hearing of his death Senator Cullom sent his messenger to look after the body."

For years Mr. Whelan has been a familiar figure around the Congress corridors during sessions. In vacations he remained with his family in Illinois. He had been keeping the State capitol for fourteen years for legislative relief by way of conferring on him the rank of Colonel, of which he had been deprived as the result of enforced retirement to the United States army. Senator Cullom has been his constant friend and has been insistent in the view that a gross injustice was done Major Whelan, who entered the army in 1867 as a private in the Twenty-first Illinois Infantry in June, 1861, commanded by Gen. U. S. Grant. He came out of the war a First Lieutenant. He held the rank of Major in the regular army from 1867 to 1870. He was appointed a Major in the pay corps on the recommendation of Gen. John A. Logan in 1877 and was re-elected in May, 1891, having served in New York, Arizona and Oregon.

At one time he was charged with technical violation of the army regulations and suspended for two months. The suspension was later rescinded and the sentence was remitted. Later he went to the United States Congress to advance him to the pay and rank of a Colonel. It was for this he contended so long that his case became almost a legend. Like McClarran, he had devoted friends and active enemies, and the latter seemed the more powerful.

COUNCIL OF COMMERCE.
The Organization Opens Permanent Headquarters in Washington.

WASHINGTON, Dec. 21.—The recently organized National Council of Commerce, of which Gustav H. Schwab of the Chamber of Commerce of New York is chairman, today opened its permanent headquarters in this city. William R. Corwin of New York, secretary of the council, today informed Secretary Strauss that the executive department is in the hands of the council and that the organization will begin on January 1.

The council at present has about sixty members, made up of representatives of different commercial associations of different cities, and an active campaign will be begun to increase its membership.

The object of the council is to keep the different executive departments informed of the needs and desires of the business world so far as they may be formulated by responsible commercial and industrial organizations and to keep the business community informed regarding the work of the departments, their plans, methods and results.

AMERICAN CIVIC ALLIANCE.
Local Subsidiary Party Organized at the Plaza.

Fifty members of the American Civic Alliance residing in New York held a meeting at the Hotel Plaza last night to form a local subsidiary organization which is to arrange a convention of the national body within the next two or three months. Deans Kirtway of Columbia presided, and the following officers were elected: President, Norbert Lafayette Savoy; vice-presidents, Charles W. Levermore, Bishop George W. Burgess, Emerson Macmillin, Isaac L. Rice, Robert Watchorn, Emil Boas, Mrs. Donald Maclean, George Macaness, Henry Clegg, Garrison Villard, D. O. Mills, Joseph Silverman, Bradley Martin, Jr., executive committee, George W. Kirtway, Norman Hapgood, R. Fulton Cutting, Hamilton Holt, James C. O'Connell, Dr. Thomas R. Silver, Dr. S. Schulman, John P. Peters, Charles F. Moore, A. B. Cruikshank, the Rev. Frederick Lynch, Charles Sprague Smith, John De Witt Warfield, Adolph Ochs, the Rev. John Haynes Holmes, Carl H. Fowler, Franklin Ford, Herbert Casson, secretary, Dr. J. B. Wasson, treasurer.

HARRIMAN GETTING OVER IT.

Will Be Able to Go to Arden for the Holidays as He Planned.

The condition of E. H. Harriman, who was taken sick on Saturday, was said yesterday to show a marked improvement. He kept in touch with his office all day by telephone.

The nature of his complaint was described by Charles C. Tegethoff, his private secretary, as a slight attack of indigestion, such, "added Mr. Tegethoff, as 'as is or I am occasionally liable to.' Dr. William G. Lyle, Mr. Harriman's family physician, diagnosed the complaint, however, as either a severe attack of biliousness or a mild form of ptomaine poisoning. What Mr. Harriman had done to bring it on no one knows, as the origin of such attacks is very obscure."

Mr. Harriman left his office on Wednesday, telling Mr. Tegethoff that he wouldn't be back until after New Year's. He was then in excellent health. On Thursday he underwent a slight operation at the hands of his surgeon, Dr. Blake, but this, according to one of his friends, "didn't amount to a hill of beans" and had nothing whatever to do with his subsequent sickness. He did business all day Friday and received many callers in the evening.

A little after 6 o'clock on Saturday morning Dr. Lyle was summoned to Mr. Harriman's, where he found the patient in a fit of vomiting which lasted off and on for four hours.

Dr. Lyle said last night that while Mr. Harriman was still feeling "sketchy" he was getting well fast, and if not entirely recovered to-day he would at any event be in shape to go to Arden for the holidays, as he had originally intended. A trained nurse was still in attendance upon Mr. Harriman last night.

This is not the first similar attack that Mr. Harriman has suffered from. Bilious attacks recur with more or less regularity, but the news of most of the m has been kept quiet. He is especially liable to them while travelling long distances by rail.

MAJOR WHAM DROPS DEAD.
Suicide Taking Off in Washington of a Retired Officer of the Army.

WASHINGTON, Dec. 21.—Major Joseph W. Wham, paymaster, U. S. A., retired, dropped dead on the steps of Washington at about 9 o'clock this morning. He had left his apartments in the Columbia, Fourteenth and Girard streets, N. W., a few minutes before to take his morning walk. At the corner of Columbia road and Fifteenth street he was seen to stagger and then fall. He was picked up and a physician summoned, but his death had occurred almost instantly from cerebral hemorrhage. He was a native of New York, where his widow and his daughter live. He was a visitor's card to the United States Senate gallery bearing the signature of Senator Cullom of Illinois. Major Wham's residence was at Salem, Ill., where his widow and a daughter live. On hearing of his death Senator Cullom sent his messenger to look after the body.

For years Mr. Wham has been a familiar figure around the Congress corridors during sessions. In vacations he remained with his family in Illinois. He had been keeping the State capitol for fourteen years for legislative relief by way of conferring on him the rank of Colonel, of which he had been deprived as the result of enforced retirement to the United States army. Senator Cullom has been his constant friend and has been insistent in the view that a gross injustice was done Major Wham, who entered the army in 1867 as a private in the Twenty-first Illinois Infantry in June, 1861, commanded by Gen. U. S. Grant. He came out of the war a First Lieutenant. He held the rank of Major in the regular army from 1867 to 1870. He was appointed a Major in the pay corps on the recommendation of Gen. John A. Logan in 1877 and was re-elected in May, 1891, having served in New York, Arizona and Oregon.

At one time he was charged with technical violation of the army regulations and suspended for two months. The suspension was later rescinded and the sentence was remitted. Later he went to the United States Congress to advance him to the pay and rank of a Colonel. It was for this he contended so long that his case became almost a legend. Like McClarran, he had devoted friends and active enemies, and the latter seemed the more powerful.

WILL LET BINGHAM DECIDE.
Justice MacLean Declines to Intervene for Moving Picture Show.

Supreme Court Justice MacLean handed down yesterday a decision denying the application of the Star Vaudeville Company for an injunction to restrain Police Commissioner Bingham from interfering with the conduct of the company's premises at 423 Third avenue.

Commissioner Bingham pleaded that the concert hall license issued to the Star Vaudeville Company did not permit moving picture exhibits.

Justice MacLean uses the occasion to exclaim:

Whether or not the issue of a license for a concert room may be tied with denying the application of the Star Vaudeville Company for an injunction to restrain Police Commissioner Bingham from interfering with the conduct of the company's premises at 423 Third avenue.

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Taft WILL TEND TO POLITICS

WON'T LEAVE THAT PART OF ADMINISTRATION TO OTHERS.

Visit of John Hays Hammond to Augusta by Invitation Taken to Show This—Another So-Called Cabinet Appointment Denied by the President-Elect.

AUGUSTA, Dec. 21.—John Hays Hammond, president of the National League of Republican Clubs, arrived here to-day in response to an invitation from Mr. Taft and will remain two weeks. Mr. Hammond took an active part in the campaign, serving as a member of the advisory committee appointed by National Chairman Frank H. Hitchcock.

Mr. Taft said to-night that Mr. Hammond through his experience in the campaign had much knowledge of political conditions throughout the country and had invited him to Augusta for that reason.

As a matter of fact Mr. Hammond discussed with Mr. Taft to-day and will continue to discuss a plan for making the National League of Republican Clubs a permanent and useful adjunct to the national Republican organization.

This league is Mr. Hammond's hobby. He devoted his time and money to it in the campaign and brought in a big membership. The purpose of the league is to reach and to organize the young voters of the country. Mr. Hammond undoubtedly will remain at the head of the league during Mr. Taft's Administration, and backed by his efforts it is certain to be an effective organization.

The most interesting thing about the league is the evidence that it affords that Mr. Taft is going to take a hand in the management of the political affairs of his Administration. Mr. Taft never laid claim to being a politician and a good many folks have said he would leave the politics of his Administration to Mr. Hitchcock or to others versed in the game. His personal interest in Mr. Hammond's League of Republican Clubs indicates that he is ready also to handle the political problems of his Administration.

Mr. Taft said to-day that he had written to Senator Dixon asking him to come to Augusta at his convenience. Mr. Taft had his usual crop of newspaper Cabinet appointments to deny to-day. One of these was a request from New York that he could be head of a public service department, in which he might devote his engineering knowledge to the problems of the preservation of the nation's natural resources. Mr. Taft's wife, his two sons and his daughter came to Augusta with him.

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